

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

SUHAIL NAJIM ABDULLAH AL SHIMARI,)
ASA'AD HAMZA HANFOOSH AL-ZUBA'E,)
and HASAN NSAIF JASIM AL-EJAILI,)
Plaintiffs,)
v.) No. 1:08-cv-0827 LMB-JFA
CACI PREMIER TECHNOLOGY, INC.,)
Defendant,)
CACI PREMIER TECHNOLOGY, INC.,)
Third-Party Plaintiff,)
v.)
UNITED STATES OF AMERICA, and)
JOHN DOES 1-60,)
Third-Party Defendants.)

**CACI PT'S MEMORANDUM IN SUPPORT
OF ITS MOTION TO FILE DOCUMENTS UNDER SEAL**

This action centers on Plaintiffs' allegations that they were mistreated while in United States' custody at the Abu Ghraib detention facility in Iraq. At all times relevant to the allegations, Abu Ghraib was under the control of United States military as part of Operation Iraqi Freedom. The United States, now a party to this action, has provided discovery pursuant to the Protective Order in this case. *See* Dkt. #211.

Defendant CACI Premier Technology, Inc. ("CACI PT") seeks to file under seal its Reply in Support of Its Motion to Compel Disclosure of Interrogator Identities. CACI PT's reply

cites to discovery information designated as subject to the Protective Order by the United States. By the terms of the Protective Order, this material may be filed only if it is filed under seal. Dkt. #211 at ¶ 9.

Under *Ashcraft v. Conoco, Inc.*, 218 F.3d 282, 288 (4th Cir. 2000), an order to seal documents is valid and appropriate when the Court (1) provides notice to the public and gives the public an opportunity to object; (2) considers less drastic alternatives; and (3) provides specific findings in support of its decision to seal. Here, the public has been given notice of CACI PT's motion to seal. The motion to seal and supporting memorandum have been filed publicly. Less drastic alternatives to filing under seal are inappropriate. These documents relate to highly sensitive information about U.S. military operations in Iraq, and have been designated as subject to the Protective Order in this action. CACI PT has filed a public version of its reply that redacted references to protected information.

Respectfully submitted,

/s/ *Conor P. Brady*

Conor P. Brady
Virginia Bar No. 81890
John F. O'Connor (admitted *pro hac vice*)
Linda C. Bailey (admitted *pro hac vice*)
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-3000 – telephone
(202) 429-3902 – facsimile
cbrady@steptoe.com
joconnor@steptoe.com
lbaily@steptoe.com

William D. Dolan, III
Virginia Bar No. 12455
LAW OFFICES OF WILLIAM D.
DOLAN, III, PC
8270 Greensboro Drive, Suite 700
Tysons Corner, Virginia 22102
(703) 584-8377 – telephone
wdolan@dolanlaw.net

*Counsel for Defendant CACI Premier
Technology, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of May, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

John Kenneth Zwerling
The Law Offices of John Kenneth Zwerling, P.C.
114 North Alfred Street
Alexandria, Virginia 22314
jz@zwerling.com

Lauren Wetzler
United States Attorney Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
lauren.wetzler@usdoj.gov

/s/ Conor P. Brady
Conor P. Brady
Virginia Bar No. 81890
Attorney for Defendant CACI Premier Technology,
Inc.
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 429-3000 – telephone
(202) 429-3902 – facsimile

cbrady@steptoe.com